

REMARKS

In the First Office Action, the Examiner rejected claims 1-14 under 35 USC §112, second paragraph as being indefinite. The Examiner object to the drawings as not showing features claimed in claims 10-11. The Examiner rejected claims 1-4, 8-10, 12, 15, 17, and 18 under 35 USC §102(b) as being anticipated by Serizawa et al. The Examiner rejected claims 11, 13, 14, 16, and 19 under 35 USC §103(a) as being unpatentable over Serizawa et al. or Serizawa et al. in view of Tiesler et al (US 6,575,528). The Examiner objected to claims 5-7 and 20 as being dependent upon a rejected base claim but indicated they would be allowable if appropriately rewritten.

Applicants have amended claims 1, 5, 8, and 15 and canceled claims 10-11, and 20 without prejudice.

Reconsideration and re-examination of the application as amended considering the following remarks is respectfully requested.

Objections to Drawings

The Examiner objected to the drawings as not illustrated the features claimed in claims 10-11. While Applicants respectfully disagree in that console module 50 illustrated in Figure 2 represents a permanent, semi-permanent, or removable module that includes "any of a number of modules that may be used in an overhead console system to provide general or specialized storage of personal items, control modules to control one or more interior or exterior accessories, or integrated accessories such as an audio, video, or computing device" (Spec. Para. 16), Applicants have canceled these claims to obviate the objection and advance prosecution.

Claim Rejections Under 35 USC § 112

The Examiner rejected claims 1-14 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicants respectfully disagree and traverse the Examiners rejection. However, as described in greater detail below, Applicants have amended the claims to more particularly point out the invention.

With respect to claim 1, the Examiner stated that it was not clear at what time the support member is concealed. Applicants do not believe this renders the claim indefinite and respectfully submit that one of ordinary skill in the art would understand the claim limitation of a structural support member that is "substantially concealed from a vehicle occupant" in the context of this application. As described in the specification, the invention is distinguished from prior art configurable consoles that have dual tracks, bars, or rods that are visible to the occupants and reduce headroom in that the structural support member of the present invention is "substantially concealed" by the headliner although some small portion may be visible through the attachment apertures or positioning holes if a blank or module is not installed. This is further supported by the specification Para. 17 that describes blank plate 60 which "operates to completely conceal support structure 20 from occupant view . . ." See also Para. 6 which describes some of the advantages of a substantially concealed support member. As such, the support member is always substantially concealed from the vehicle occupants and may be completely concealed when all modules/blanks are installed.

Similarly, Applicants respectfully submit that the frame of reference of the structural support member is clear in the context of the claim when read in connection with the specification. As described in Para. 14, 18 and illustrated in Figs. 1 and 4, the support member is secured to the headliner and the interior roof bow of the vehicle. Modules 50 may then be secured through attachment apertures in the headliner and support member. As those of ordinary skill in the art would understand, a support member for a configurable overhead console as described and claimed supports the headliner and any attached modules.

With respect to claim 8, Applicants respectfully disagree with the Examiner's contention that the claim is vague. The claims must be read in the context of the specification without incorporating unnecessary limitations from the specification into the claims. The specification describes problems associated with prior art headliners such as those disclosed in US 6,575,528 to Tiesler and commonly owned by the assignee of the present application related to folding or creasing during handling and transporting of the headliner due to an elongated slot along a central axis. As described in the specification and claimed in Claim 8, the present invention solves this problem by using attachment apertures spaced a

sufficient distance to inhibit such folding or creasing, which depends on the particular material and design of the headliner but is typically several times the length of any one of the attachment holes as described in Para. 13.

While Applicants respectfully traverse the rejection, claim 8 has been amended to more particularly point out this feature of the invention.

Rejections Under 35 USC §§102, 103

Claims 1-4, 8-10, 12, 15, 17, and 18 were rejected as being anticipated by Serizawa et al. Applicants respectfully disagree and traverse the rejection. Serizawa (US 2001/0005083) discloses an electrical module/console but not a configurable console as disclosed and claimed by Applicants. In particular, Applicants disagree with the Examiner's interpretation of items 24, 26, 22, and 21, as "multiple modules". To the extent that these elements are "multiple modules", they are not secured to the support member as disclosed and claimed by Applicants but rather secured to module 5, which is the only "module" disclosed by Serizawa. Applicants also respectfully disagree with the Examiner's position that the latching tabs 5b "rotate with a virtual horizontal axis when engaging" as opposed to bending as shown. However, Applicants have amended independent claims 1, 8, and 15 to incorporate features that are believed to be allowable based on the Examiner's indication of allowable subject matter in claims 5-7, and 20 to more particularly point out and distinctly claim the invention while obviating the Examiner's rejection.

Claims 11, 14, and 19 were rejected as being unpatentable over Serizawa et al. and claims 13, 16 were rejected as being unpatentable over Serizawa et al. in view of Tiesler (US 6,575,528). As described above, Applicants respectfully disagree with the Examiner's interpretation of Serizawa et al. and traverse the rejection. However, Applicants have amended independent claims 1, 8, and 15 to more particularly point out the invention and believe that the claims as filed and now amended distinguish over the references relied upon by the Examiner.

Allowable Subject Matter

Claims 5-7 and 20 were indicated as allowable if appropriately rewritten in independent form and to overcome the rejection under 35 USC §112. Applicants have incorporated various features of claim 5 into claim 1 and amended claim 1

such that it is believed to be allowable. Similarly, various features of claim 20 have been incorporated into independent claim 15.

Summary

Applicants have made a genuine effort to respond to the Examiner's objections and rejections to advance prosecution of this application. Applicants respectfully submit that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

No additional fee is believed to be due as a result of filing this Amendment. However, please charge any fees to Deposit Account 50-2438 (Lear Corporation).

The Examiner is requested to telephone the undersigned to discuss resolution of any issues necessary to place this case in condition for allowance.

Respectfully submitted:



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